

Plaintiffs' Exhibit E

**VIDEO TELECONFERENCE DEPOSITION
NATASSIA TUHOVAK**

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

SIERRA BOUCHER, LILY ENGEBRECHT,
NATASSIA TUHOVAK, HANNAH WHELAN, and
CASSIDY WOOD,

Plaintiffs,

- against - Case No.
1:22-cv-00381-CCR

TRUSTEES OF CANISIUS COLLEGE,

Defendant.

Video teleconference deposition of
NATASSIA TUHOVAK, Plaintiff, present at 3850 North
Mississippi Avenue, Apartment A526, Portland,
Oregon, taken pursuant to the Federal Rules of
Civil Procedure, connecting to various locations on
October 3, 2024, commencing at 10:03 a.m., before
ANDREA J. DEMYAN, Notary Public.

10:41:47 1 meetings, but I wasn't really ever an active
10:41:50 2 member.

10:41:52 3 Then I mostly just worked a lot in college.
10:41:59 4 I -- I worked at Wegmans, I was a school tour guide
10:42:03 5 for Canisius, I -- I babysat, and -- and then
10:42:10 6 majority of my time was taken up by doing research
10:42:31 7 at Marineland with Dr. Noonan.

10:42:34 8 **BY MS. NAASSANA:**

10:42:43 9 **Q.** How long were you a tour guide?

10:42:45 10 **A.** I think I started my sophomore year and
10:42:51 11 then I technically was still a tour guide my senior
10:42:55 12 year, but I don't think I ever did any tours my
10:42:58 13 senior year.

10:42:59 14 **Q.** Okay. So when you were in high school,
10:43:02 15 where did you apply to college?

10:43:04 16 **A.** I can't remember all the exact names,
10:43:11 17 but I will try my best. There was -- the way that
10:43:21 18 I kind of remember it was just the tours that I did
10:43:24 19 because those were essentially all of the colleges
10:43:26 20 that I -- that I applied to.

10:43:28 21 So there was one that my mom and I toured
10:43:31 22 down in Austin, Texas. It -- essentially all the
10:43:39 23 colleges that I applied for were specifically

10:43:41 1 related to animal behavior. My mom found that
10:43:47 2 major and thought it would be a good fit for me
10:43:51 3 since I wanted to study animals.

10:43:54 4 So there was a college like I think just
10:43:57 5 outside of Austin, Texas, we did a tour there.
10:44:03 6 I -- I still applied, but it wasn't my top choice.
10:44:06 7 Mainly because the program -- like their animal
10:44:09 8 behavior program seemed pretty small and didn't
10:44:10 9 really seem to have the like resources compared to
10:44:16 10 Canisius.

10:44:18 11 Then there was Amherst College, I only
10:44:24 12 remember that because it was the same name as East
10:44:28 13 Amherst, but just -- yeah. So I toured Amherst
10:44:32 14 College which was in Massachusetts and they also
10:44:41 15 had an animal behavior program.

10:44:42 16 That was the only college I ended up not
10:44:46 17 applying to that I visited mainly -- mainly because
10:44:48 18 they didn't do grades there and I wasn't sure how
10:44:50 19 that would impact my ability to apply for graduate
10:44:54 20 school.

10:44:57 21 Then there was a college in Maine. I
10:45:05 22 remember their mascot was the Nor'easter which
10:45:10 23 there's big storms that happen up in that area. So

10:45:15 1 they had a -- an animal behavior program as well
10:45:22 2 and that was probably my second choice of college
10:45:27 3 because it -- it seemed to be a bigger program.
10:45:30 4 But it was mainly focused on fish and I wanted to
10:45:34 5 really focus on studying mammals.

10:45:40 6 And then I also applied to Bucknell which is
10:45:44 7 in Pennsylvania and I was -- I was interested in
10:45:55 8 Bucknell because they seemed to have like one of
10:45:58 9 the most robust animal behavior majors along --
10:46:04 10 alongside Canisius.

10:46:06 11 And I -- I remember wanting to apply there
10:46:10 12 because they had -- I think it was like rhesus
10:46:16 13 macaque, like some -- some monkey that -- that was
10:46:19 14 on campus for research students to study.

10:46:23 15 **Q.** So I'm going to move to strike the
10:46:31 16 nonresponsive portion to the answer.

10:46:34 17 Natassia, out of -- out of all the colleges
10:46:37 18 that you applied to, where were you accepted?

10:46:39 19 **A.** I was accepted to the college in
10:46:46 20 Austin, Texas, the college in Maine, and then
10:46:52 21 Canisius.

10:46:54 22 **Q.** So why did you choose to attend
10:47:03 23 Canisius?

11:52:57 1 really related to the course. Even though he
11:53:03 2 wasn't teaching sex evolution that following
11:53:07 3 semester, he decided to bring up the topic of rape
11:53:13 4 in our social org class which seemed to be out of
11:53:17 5 the norm for that class specifically, that normally
11:53:20 6 was talked about in sex evolution.

11:53:23 7 And during that time, he would say that rape
11:53:26 8 is natural and showed us a very graphic video of an
11:53:34 9 orangutan -- a female orangutan getting raped by a
11:53:39 10 male orangutan.

11:53:42 11 I don't know what -- what the educational
11:53:45 12 value of that was other than to shock and awe us
11:53:51 13 and I remember feeling very uncomfortable during
11:53:54 14 that class and trying to convince myself that this
11:53:59 15 is what is -- I need to -- I need to put on a brave
11:54:04 16 face and show that I can be a professional and that
11:54:07 17 this is science. But looking back on it now, it
11:54:11 18 should have never even been shown, that video.

11:54:18 19 **BY MS. NAASSANA:**

11:54:19 20 **Q.** At the time you were taking the Social
11:54:22 21 Organization of Mammals course, did you share any
11:54:25 22 of this with -- with anyone?

11:54:27 23 **MS. NANAU:** Objection to form. You may

11:58:38 1 these little things that I didn't think were these
11:58:41 2 red flags because of the -- the image that
11:58:44 3 Dr. Noonan implanted in my head of who he was as a
11:58:47 4 person.

11:58:48 5 **BY MS. NAASSANA:**

11:58:53 6 **Q.** I'm going to move to strike the
11:58:55 7 nonresponsive portions of the answer.

11:58:57 8 Natassia, just to clarify, did you also take
11:59:01 9 a photography class with Dr. Noonan?

11:59:03 10 **A.** Yes. Yeah, I did.

11:59:07 11 **Q.** Okay.

11:59:07 12 **A.** That was junior year spring semester I
11:59:13 13 believe.

11:59:15 14 **Q.** Okay. And did you ultimately accept
11:59:20 15 Dr. Noonan's invitation to be his research student?

11:59:25 16 **A.** Yes. I remember after that class I --
11:59:32 17 after the class where he asked me to be on his
11:59:34 18 research team, he told me before class, hey, come
11:59:40 19 talk to me about this after class.

11:59:44 20 And so I, you know, excitedly walked up to
11:59:47 21 him and we started walking up towards his office
11:59:50 22 and he was saying, okay, these are the days when I
23 go do research, I'd love to have you start right

1 away.

2 (Reporter interruption.)

12:00:04 3 **THE WITNESS:** These were the days when they
12:00:06 4 go to Marineland for research, that his research
12:00:10 5 team goes, and that he would love to have me start
12:00:15 6 right away.

12:00:16 7 And I believe that they -- based on the
12:00:19 8 schedule, I think they went Mondays, Wednesdays,
12:00:22 9 and Fridays from like 6:00 to 10:00. And at that
12:00:28 10 point in time for that semester, I had a class
12:00:32 11 conflict so I wasn't able to go because I had a
12:00:34 12 class at 9:00 a.m.

12:00:38 13 So then I remember telling him, oh, I can't
12:00:42 14 go and he seemed really disappointed and felt
12:00:49 15 frustrated that I would pick class and prioritize a
12:00:54 16 class over going on his research team.

12:00:58 17 And then I said I would love to come and be
12:01:01 18 on your research team next semester so I -- I ended
12:01:06 19 up going on his research team that same semester
12:01:12 20 sophomore year.

12:01:16 21 **BY MS. NAASSANA:**

12:01:16 22 **Q.** Okay. I'm going to move to strike the
12:01:19 23 nonresponsive portions of the answer.

12:01:26 1 Natassia, who are the other ABEC professors
12:01:37 2 with whom you interacted while you were at
12:01:40 3 Canisius?

12:01:40 4 **MS. NANAU:** Objection to form. You may
12:01:42 5 answer.

12:01:43 6 **THE WITNESS:** I took classes -- so I took
12:01:50 7 that ABEC 101 class with Dr. Suchak, the ABEC 102
12:01:57 8 class with Dr. Cornellisee, and then later on for
12:02:02 9 sophomore year, I think I also -- besides the
12:02:05 10 social org classes, I took I think one other class
12:02:08 11 with Dr. Cornellisee and then another class with
12:02:12 12 Dr. Suchak.

12:02:15 13 And then my junior year I did like a summer
12:02:23 14 internship which was technically credited towards
12:02:27 15 my -- my class time like for either like fall
12:02:31 16 semester or spring semester and that was run by
12:02:34 17 Professor Workman.

12:02:36 18 And then my senior year I ended up taking a
12:02:40 19 couple of classes, like I think zoo exhibitory and
12:02:44 20 conservation biology, with Dr. Margulis. I'd never
12:02:50 21 had any interactions with Dr. Russell.

12:02:53 22 I did have one meeting with Paul Waldau when
12:03:01 23 he was still there to talk about potentially going

12:28:32 1 trip to Hawaii?

12:28:36 2 **MS. NANAU:** Objection to form. You can
12:28:38 3 answer.

12:28:38 4 **THE WITNESS:** On paper, the trip was
12:28:42 5 supposed to be learning, number one, about Hawaiian
12:28:47 6 culture along with the endemic and invasive animal
12:28:58 7 species in Hawaii.

12:29:00 8 **BY MS. NAASSANA:**

12:29:07 9 **Q.** How many other Canisius students
12:29:10 10 participated on the trip to Hawaii?

12:29:13 11 **A.** I would say about 10 or 12.

12:29:25 12 **Q.** Did you have any -- any concerns on
12:29:27 13 this trip to Hawaii?

12:29:30 14 **MS. NANAU:** Objection to form. You may
12:29:31 15 answer.

12:29:32 16 **THE WITNESS:** Yes. Some concerns that came
12:29:38 17 up were, number one, again, just not giving us any
12:29:44 18 itinerary. It was always just, oh, this is a
12:29:47 19 surprise so we weren't really able to prepare as
12:29:50 20 to, you know, what we're doing that day.

12:29:54 21 And on one of the days, I remember being so
12:29:58 22 exhausted because we had to wake up extremely early
12:30:02 23 and were not even back at the hotel at like

12:30:04 1 8 o'clock at night. I remember going into like
12:30:07 2 Safeway and getting food and coming back out and
12:30:09 3 just feeling loopy.

12:30:11 4 Dr. Noonan was -- was extremely crabby that
12:30:15 5 day and I think he -- he snapped at me and so I was
12:30:22 6 already really on edge and the way that I kind of
12:30:25 7 cope with uncomfortable situations a lot of the
12:30:28 8 times is to laugh.

12:30:30 9 And I remember getting back in the car and
12:30:31 10 just hysterically laughing until the point where I
12:30:34 11 was sobbing in the back of the van because of just
12:30:37 12 like how exhausted I was and how he was just -- his
12:30:43 13 demeanor changed. It was very different from how
12:30:46 14 he was during social org.

12:30:49 15 And so then he openly admitted and said, oh,
12:30:53 16 yeah, it probably wasn't my best decision to -- to
12:30:57 17 schedule a jam-packed day on the third day of the
12:31:02 18 trip because that's always when people get
12:31:04 19 extremely tired and I've known this from past
12:31:08 20 trips.

12:31:09 21 So, you know, if he had known that from past
12:31:13 22 trips, I think he should have planned that better,
12:31:16 23 number one. And then the biggest concern was the

12:31:18 1 girl talk in the van where Dr. Noonan rented out a
12:31:23 2 huge passenger van for all of us to fit in.

12:31:26 3 And Dr. Noonan is a very scary driver, is
12:31:32 4 not -- was always like speeding, was always taking
12:31:35 5 like risky turns, and a lot of us weren't even
12:31:38 6 wearing like our seat belts during that time and he
12:31:40 7 didn't make us wear our seat belts.

12:31:42 8 But the main thing was the girl talk that he
12:31:46 9 would always say it was where he would say, oh, if
12:31:48 10 you're -- would you date this kind of person, would
12:31:51 11 you date a guy with a beard, would you date a guy
12:32:09 12 that hunts. And it was like always, number one,
13 just very focused on --

14 (Reporter interruption.)

12:32:13 15 **THE WITNESS:** So he would -- he would ask
12:32:15 16 those questions and, again, it was always very
12:32:17 17 focused on whether or not you would date a man and
12:32:22 18 he was very -- very dismissive of, you know,
12:32:28 19 anyone -- anyone's sexuality outside of a
12:32:31 20 heterosexual framework.

12:32:34 21 I remember he would frequently bring up
12:32:37 22 Mark Evans on the trip and say who wouldn't want to
12:32:41 23 date Mark Evans, he's a hunk and kept on going on

12:32:46 1 about him because he was like one of the -- the
12:32:51 2 one -- one of the few brave men in the ABEC program
12:32:56 3 and was -- also had a beard and kind of looked
12:33:00 4 similar to Dr. Noonan.

12:33:02 5 But my -- my biggest thing was when we were
12:33:05 6 all in the van and he started talking about how
12:33:07 7 lonely he was post divorce and how he wanted to get
12:33:12 8 back on the dating scene and would -- started
12:33:20 9 saying, oh, well, I want to date people and I -- I
12:33:23 10 have a lot of options.

12:33:25 11 What do you guys think, do you guys think
12:33:28 12 that it's -- that I should be able to date someone
12:33:39 13 who was previously my student? And I remember
12:33:45 14 automatically feeling really shocked by this and
12:33:49 15 saying absolutely not, you shouldn't be dating one
12:33:52 16 of your -- you shouldn't be dating someone that you
12:33:54 17 once taught before.

12:33:56 18 And Dr. Noonan immediately tried to -- tried
12:34:03 19 to convince me otherwise I would say. He
12:34:06 20 immediately said, well, you know, Natassia, I've
12:34:08 21 been dating -- or well, he'd said, you know,
12:34:11 22 Natalie -- you know, Natalie, I've been dating --
12:34:17 23 well, I've been teaching -- I've been teaching for

12:34:19 1 40-plus years at this school.

12:34:22 2 So all the people that have been reaching
12:34:24 3 out to me have been students from way back when
12:34:29 4 I -- before I -- you know, they're all adults now,
12:34:31 5 can't I date an adult? And I -- I said, you know,
12:34:36 6 that still makes me uncomfortable, but, you know, I
12:34:39 7 can't really stop you, I just think it's an abusive
12:34:41 8 power.

12:34:43 9 And I don't think Dr. Noonan liked being
12:34:46 10 called out for that because he rarely ever got
12:34:49 11 called out for inappropriate behavior.

12:34:55 12 Then the other concerns that kind of came up
12:34:59 13 was -- would always be very focused on
12:35:03 14 photographing us in our bathing suits and there was
12:35:05 15 no -- no question of, hey, are you comfortable if I
12:35:10 16 photograph you in your bathing suit. There was no
12:35:12 17 question of, hey, are you comfortable if I post
12:35:14 18 this on the CAC Facebook page.

12:35:17 19 It was just this automatic thing that felt
12:35:20 20 like you couldn't really object to, number one.
12:35:24 21 And, number two, he would, you know, during --
12:35:28 22 during those photos -- the photos, I think he tried
12:35:31 23 to strategically find ways to -- to put us in

12:35:36 1 positions where our bathing suit tops were likely
12:35:39 2 to fall off.

12:35:40 3 So what happened to me was we were all -- we
12:35:44 4 were -- he took us to this cliff diving spot and he
12:35:49 5 mentioned that we weren't supposed to be there.
12:36:07 6 That this cliff diving spot wasn't a -- a spot that
12:36:13 7 most people were allowed to cliff dive at because
12:36:17 8 of the potential riptides there, but he took us
12:36:22 9 anyway.

12:36:23 10 And -- and so we -- it was a huge cliff too
12:36:27 11 where we were jumping off of and I remember he had
12:36:31 12 us jumping from the cliff and he said, okay, I'm
12:36:38 13 going to be down in the water filming you guys and
12:36:41 14 it will be a cool shot if I get you guys jumping
12:36:44 15 into the water and it will be like an underwater
12:36:47 16 photo because he had like a GoPro video so he was
12:36:52 17 taking those videos of us.

12:36:54 18 When I was cliff diving and like jumping
12:36:56 19 off, my -- I was wearing like a tankini so it
12:37:00 20 wasn't as if like my spaghetti straps or anything
12:37:04 21 fell off, but my -- my top flew up when I was
12:37:07 22 jumping off and I remember putting it down as
12:37:09 23 quickly as possible and -- and feeling very

12:37:11 1 uncomfortable because I look up and Dr. Noonan is
12:37:14 2 still filming.

12:37:16 3 And I just thought maybe he didn't see,
12:37:19 4 maybe -- maybe he didn't -- maybe he didn't even
12:37:24 5 see, it was all the bubbles. But looking back on
12:37:26 6 it now, I think he did this on purpose so that he
12:37:30 7 could get videos of half naked students.

12:37:35 8 And then the -- the other thing that was
12:37:41 9 concerning was the fact that when he first told me
12:37:45 10 that I had made it into the -- into like the
12:37:50 11 application process where he was picking me to go,
12:37:55 12 I remember we were in social org, we were at the
12:37:58 13 Buffalo Zoo at that point in time and we were all
12:38:02 14 gathered around waiting for the social org lab to
12:38:05 15 start.

12:38:05 16 And Dr. Noonan came up to me and said, you
12:38:08 17 know, Natassia, I have to tell you that you wrote
12:38:11 18 one of the best applications out of all of the
12:38:15 19 entire students and I absolutely want to have you
12:38:18 20 on -- on the trip to Hawaii, but your swim test,
12:38:22 21 you weren't really good at your swim test.

12:38:24 22 And, you know, I knew that that was accurate
12:38:28 23 because I'm not a swimmer, never been my forte.

12:38:31 1 And so he told me I really want to take you, but if
12:38:35 2 you agree to go, I -- I need you to have a life
12:38:37 3 vest on for whenever we're in the water snorkeling
12:38:43 4 and that was going to be a majority of the trip
12:38:45 5 where we're snorkeling for most of the time.

12:38:48 6 And so I said, yeah, of course, like that
12:38:51 7 totally makes sense, I understand, and I would
12:38:53 8 love -- I would absolutely love to go. And when we
12:38:58 9 got to Hawaii, not once had he ever provided me a
12:39:01 10 life vest and we were swimming in pretty rough
12:39:04 11 water sometimes.

12:39:05 12 The full incident was I think the first time
12:39:07 13 that we went snorkeling, we were snorkeling in a
12:39:11 14 cove and it was like you literally were on the
12:39:14 15 beach and you had to like walk into the water to go
12:39:17 16 snorkeling.

12:39:19 17 And I remember when we first did that and it
12:39:23 18 was the first time like he was seeing me swim with
12:39:27 19 snorkel gear on which I've done in the past so I
12:39:30 20 felt like I was comfortable enough to at least
12:39:32 21 snorkel, he said, okay, well, I'm going to hold
12:39:35 22 your hand instead of giving you a life vest and
12:39:38 23 just hold my hand the entire time.

12:39:40 1 And so I remember going through the reef and
12:39:42 2 just holding his hand and kind of feeling a little
12:39:45 3 bit weird because, you know, when you're holding
12:39:47 4 someone's hand while swimming, like your bodies are
12:39:49 5 kind of with like the waves accidentally touching
12:39:52 6 each other.

12:39:52 7 And I just kept on thinking, okay, well,
12:39:54 8 he's just trying to keep me safe and he -- you
12:39:57 9 know, he doesn't think I need a life vest and this
12:40:07 10 is fine. And then after that time, you know, with
12:40:13 11 the cliff diving, he didn't make me wear a life
12:40:16 12 vest, he didn't even bring one for me, didn't tell
12:40:19 13 me that I needed to bring a life vest for myself
12:40:22 14 either. He said that he would provide one or we
12:40:24 15 would get it in Hawaii.

12:40:26 16 So automatically like we were cliff diving
12:40:29 17 and he was letting me swim without a life vest and
12:40:32 18 then we were -- the -- the last day when -- oh,
12:40:38 19 well, he did take us to -- yeah.

12:40:41 20 So the last day he took us to this beach
12:40:44 21 where he said we all -- we all need to go out deep
12:40:51 22 into the water so that you can hear the -- not
12:40:55 23 Beluga whales -- so you can hear the humpback

12:41:01 1 whales singing and doing their mating calls.

12:41:04 2 And I -- I had gone to this spot for years
12:41:07 3 and this is like a place where you can absolutely
12:41:09 4 hear them, but you have to dive down really deep in
12:41:12 5 order to like pause and hear their calls. However,
12:41:17 6 this beach was very rough water that day.

12:41:21 7 He pointed out and said, oh, look, there's a
12:41:24 8 riptide right there so we got to be -- we got to be
12:41:26 9 careful. You know, everyone has to -- has to be
12:41:29 10 careful when they're going out. And of course
12:41:33 11 going -- going out into the water when you're going
12:41:35 12 towards the ocean, like that -- that was easy and I
12:41:37 13 thought, okay, this should be fine.

12:41:40 14 There was no -- there was no one-on-one talk
12:41:43 15 with me because I think I was the -- the -- the
12:41:47 16 worst swimmer, the weakest swimmer on -- on the
12:41:51 17 trip and so there was no like one-on-one discussion
12:41:53 18 with me saying, hey, if you're not feeling
12:41:56 19 comfortable or, hey, I think you should sit this
12:41:58 20 one out.

12:41:58 21 All it was was this focus on you're going to
12:42:02 22 miss out if you don't get to see the whales or --
12:42:04 23 well, if you don't get to hear the whales. And I

12:42:07 1 went -- I wanted to not -- not make things
12:42:12 2 complicated and I also didn't want to miss out on
12:42:14 3 this like once in a lifetime experience to hear --
12:42:17 4 hear humpback whale calls and so I -- I swam out.

12:42:20 5 And getting out was fine, but then coming
12:42:24 6 back in was extremely hard because we were in the
12:42:27 7 middle of a riptide and I remember like just
12:42:30 8 exerting so much energy. I got stung by something,
12:42:34 9 I thought it was a jellyfish at that time.

12:42:36 10 When I was trying to get back in, I felt
12:42:39 11 this like stinging pain on my leg. I -- I finally
12:42:43 12 somehow make it up to the beach and a lifeguard is
12:42:46 13 there and at that point in time, I --

12:43:04 14 (Reporter interruption.)

12:43:04 15 **THE WITNESS:** I'm sorry. I think at that
12:43:10 16 point in time, they had those flags out on the
12:43:14 17 beach to tell you what the surf was that day of if
12:43:18 18 it's dangerous to go out. And I can't remember --
12:43:21 19 like I can't remember like the scale of the flags,
12:43:23 20 but the -- the flag that was out was like in the
12:43:26 21 danger zone.

12:43:26 22 And when we went out the first time, the
12:43:29 23 lifeguard was not there, but when we got back onto

12:43:32 1 the beach, the lifeguard was there. And I also
12:43:35 2 have sports asthma and so I -- swimming really
12:43:40 3 triggers that sports asthma.

12:43:42 4 So I remember just sitting on the beach out
12:43:44 5 of breath gasping for air and the lifeguard coming
12:43:51 6 up and asking -- asking me if I was okay and then
12:43:56 7 Dr. Noonan takes over and goes, she's fine -- she's
12:43:59 8 fine, leave her alone, she's fine.

12:44:02 9 And I -- I was -- I was concerned and he
12:44:12 10 didn't really seem to care that -- he wasn't taking
12:44:15 11 into consideration my -- my swimming abilities
12:44:20 12 and -- yeah. So then the riptide -- the -- the
12:44:36 13 other thing that --

12:44:47 14 (Reporter interruption.)

12:44:47 15 **THE WITNESS:** The other thing that concerned
12:44:49 16 me was when we were -- we booked a whale tour
12:44:59 17 with -- with a tour company and so you kind of go
12:45:04 18 out and -- on a boat and, you know, they try to
12:45:07 19 find humpback whales so you can see them out in the
12:45:13 20 wild followed along with like a snorkel expedition.

12:45:17 21 And, number one, the tour -- the tour guide
12:45:25 22 said, okay, everyone, when the boat is in motion,
12:45:27 23 you all need to sit down and not get up for safety

12:45:31 1 reasons and of course Noonan did not -- did not
12:45:36 2 follow that.

12:45:37 3 He starts getting up and starts pointing to
12:45:39 4 the whales and trying to overtake the tour guide's
12:45:45 5 position and he almost ended up falling in the
12:45:48 6 water and the tour guide had to be stern with him
12:45:53 7 and say you need to sit down and I don't think
12:45:56 8 Dr. Noonan liked -- liked that. He did not like
12:45:59 9 getting pushed back upon.

12:46:02 10 And so throughout that entire -- that entire
12:46:05 11 trip, from the time when the tour guide sternly
12:46:10 12 told -- told Dr. Noonan to sit down, from then on,
12:46:14 13 I could just feel the shift in energy where
12:46:17 14 Dr. Noonan seemed to be very angry and it -- it was
12:46:21 15 very uncomfortable.

12:46:27 16 And so at that point, we -- we spent the
12:46:33 17 entire day -- we're like hours out on this boat
12:46:37 18 with the tour guide and then when we finally come
12:46:41 19 back, you know, it's very customary in these
12:46:44 20 situations to tip your -- tip your boat driver.

12:46:49 21 And we were -- we were the -- besides the --
12:46:56 22 I think there was like a couple that were -- that
12:46:58 23 were there, but essentially because of how big our

12:47:01 1 group was, we made up a majority of the boat.

12:47:05 2 And so when we got out, Dr. Noonan refused
12:47:09 3 to tip the boat driver and I felt so embarrassed
12:47:13 4 and I think he refused to tip the boat driver
12:47:16 5 because of Dr. Noonan -- Dr. Noonan essentially
12:47:20 6 getting yelled at -- or not even yelled at, but
12:47:23 7 just talked sternly to by the boat driver about
12:47:26 8 safety.

12:47:27 9 And so Dr. Noonan wanted to punish him by
12:47:31 10 not giving him a tip even though we were the ones
12:47:34 11 that made up a majority of the boat ride and they
12:47:37 12 had given us a significant discount because we were
12:47:41 13 making up such a big group.

12:47:43 14 And I -- at that point, I felt really awful
12:47:46 15 and I -- I almost was about to like go to an ATM
12:47:50 16 and pull out cash so that I could give the boat
12:47:53 17 driver a tip myself, but I -- I was afraid that
12:47:57 18 Dr. Noonan would start yelling at me for going
12:47:59 19 against his wishes and so I didn't.

12:48:04 20 And then the final concern was when -- when
12:48:10 21 we -- when we were flying back, we were supposed to
12:48:14 22 fly back on the 23rd and Dr. Noonan told us, oh,
12:48:18 23 yeah, I'm spending my holiday -- my Christmas

12:48:21 1 holiday with my daughter who lives in Hawaii so you
12:48:26 2 guys are going to be going back home by yourself.

12:48:32 3 And at that point in time, you know, there
12:48:34 4 were -- there were some like junior and seniors on
12:48:37 5 the trip and then there were -- I would say
12:48:41 6 including myself, there was three sophomores and
7 one --

8 (Reporter interruption.)

12:48:52 9 **THE WITNESS:** Including myself and one
12:48:55 10 freshman and so we were all supposed to have
12:49:07 11 connecting flights going in -- from Hawaii to LA
12:49:10 12 and then the proceeding connecting flights were
12:49:13 13 just kind of based off of whether people wanted to
12:49:16 14 go directly home for Christmas or if they wanted to
12:49:22 15 stop back in Buffalo to grab their things and then
12:49:25 16 head home that way.

12:49:27 17 And I think a majority of us were living in
12:49:30 18 the Buffalo area and so we were just going to all
12:49:33 19 fly back to Buffalo together and we were all mainly
12:49:39 20 booked on the same flight.

12:49:40 21 But then on that day we got into LA, it was
12:49:44 22 one of the rare instances in LA where it started
12:49:47 23 downpouring after a significant drought and that

12:49:53 1 messed up all of the flights. And so we were

12:50:09 2 all --

3 (Reporter interruption.)

12:50:09 4 **THE WITNESS:** It messed up our connecting
12:50:11 5 flights because the flights got either delayed or
12:50:14 6 canceled and, you know, at this point, there were
12:50:19 7 not a lot of girls on the trip that -- that had
12:50:26 8 flown before by themselves.

12:50:28 9 And I think there was a lot of stress
12:50:33 10 because of the situation where we didn't really
12:50:37 11 have a professor to help us figure out connecting
12:50:41 12 flights, we didn't have someone to kind of take
12:50:44 13 charge.

12:50:44 14 And so I remember having to call my mom who
12:50:58 15 had flown significantly for her work and -- and so
12:51:10 16 I remember asking her for help, if she could call
12:51:13 17 the airline and help us figure out how to -- sorry,
12:51:19 18 I'm also hearing the feedback as well so I'm trying
12:51:22 19 to like pause for you.

12:51:35 20 So then I was having to call my mom on
12:51:38 21 someone else's phone because my phone even though I
12:51:42 22 had like a waterproof case on it, ended up on one
12:51:46 23 of like our snorkeling expeditions when I was like

12:51:50 1 trying to film cool underwater fish, the case ended
12:51:54 2 up leaking and my -- my phone got completely
12:52:01 3 drenched.

12:52:01 4 So I had no phone on the flight back that
12:52:04 5 was working so I'm like trying to -- luckily I had
12:52:10 6 my mom's cell phone number memorized so I was
12:52:13 7 trying to call -- trying to call her and we all
12:52:17 8 ultimately ended up being able to get home, but we
12:52:22 9 all kind of had to go on separate flights.

12:52:24 10 I ended up having to go on a flight by
12:52:27 11 myself to Rochester because there were no available
12:52:32 12 flights going to Buffalo where I could make it back
12:52:36 13 Christmas Eve and Christmas Eve is an important
12:52:40 14 date for my family because that's when we spend
12:52:45 15 Christmas with -- with my dad's side of the family.

12:52:48 16 So I -- I was trying really hard to make it
12:52:51 17 back in time and I ended up having to fly through
12:52:56 18 Rochester and asking the person next to me sitting
12:53:00 19 next to me when I got on the flight -- because I
12:53:03 20 was a standby and so I luckily got on a flight.

12:53:07 21 I remember asking if I could use their phone
12:53:10 22 to call -- call my family, hey, I'm on this flight
12:53:13 23 to Rochester, can you guys, you know, please come

12:53:18 1 pick me up here because I had no other means of
12:53:23 2 communicating at that point in time and Noonan just
12:53:27 3 was not -- not able to like help us in any way.

12:53:32 4 I -- I think some students did try to
12:53:35 5 contact him and he just didn't really either -- to
12:53:40 6 my memory, they either didn't -- he either didn't
12:53:45 7 respond or he just wasn't very helpful in that
12:53:51 8 situation.

12:53:55 9 **BY MS. NAASSANA:**

12:54:01 10 **Q.** Okay. So backing up for a moment.
12:54:03 11 Natassia, you mentioned swimming in the ocean on
12:54:06 12 the trip to Hawaii, did you ask Dr. Noonan to not
12:54:12 13 participate in that activity?

12:54:16 14 **MS. NANAU:** Objection to form. There were
12:54:18 15 many -- there's testimony about many instances of
12:54:21 16 swimming. Is there any particular one that you're
12:54:23 17 referring to?

18 **BY MS. NAASSANA:**

12:54:25 19 **Q.** At any -- at any time, did you ask
12:54:28 20 Dr. Noonan if -- to not have to participate in
12:54:30 21 swimming in the ocean?

12:54:34 22 **A.** Not that I recall. I wanted -- I -- I
12:54:40 23 felt like I couldn't say no because I wanted to

13:51:19 1 I was already spring semester of my junior
13:51:22 2 year and I, you know, only had senior year left and
13:51:27 3 for law school you have to get around three
13:51:30 4 recommendation letters from professors. And I felt
13:51:32 5 like I did not have enough professors that knew me
13:51:36 6 well enough to have someone write me a
13:51:38 7 recommendation letter.

13:51:39 8 Mainly because all of my time if it wasn't
13:51:42 9 working, it was being on the research team with
13:51:45 10 Dr. Noonan or going to class and I -- I didn't have
13:51:49 11 time to establish another relationship with a
13:51:51 12 professor in -- in ABEC or just in general with any
13:51:57 13 other professor.

13:51:58 14 And that's when I went to Margulis down --
13:52:01 15 up -- well, sorry. I went to Margulis, what, March
13:52:06 16 of my junior year. So that would be March of 2018,
13:52:11 17 April of 2018, somewhere around that time when I --
13:52:16 18 I essentially could not take it anymore.

13:52:18 19 My -- my roommate [REDACTED] who became
13:52:22 20 my roommate again junior year, [REDACTED] and I
13:52:28 21 think a couple of other like ABEC students when
13:52:31 22 they heard I was struggling on the team with
13:52:34 23 Dr. Noonan, suggested that I talk to Margulis

13:52:36 1 because she's great, she listens, and she's this
13:52:39 2 person that really cares about students.

13:52:40 3 And of course if you tell her that you're
13:52:42 4 having problems, you're going to -- you're -- you
13:52:45 5 are going to get the problem resolved, you know.
13:52:50 6 People were saying I wouldn't be surprised if she
13:52:52 7 put you on her research team to like help protect
13:52:54 8 you.

13:52:54 9 And so I went to Dr. Margulis to talk about
13:52:57 10 the harassment that I was -- I was facing and it
13:53:01 11 was not a good meeting. I remember it was a lot of
13:53:04 12 downplaying of what I was saying, it was me talking
13:53:07 13 about how I was screamed at, getting verbally
13:53:12 14 abused every day on the research team.

13:53:15 15 That I was being made an example of a
13:53:17 16 student -- of -- of a type of student that other
13:53:21 17 research students wouldn't want to be and I think
13:53:23 18 partially it was because I pushed back on
13:53:25 19 Dr. Noonan.

13:53:26 20 And I -- I told her, I said I could not -- I
13:53:29 21 was not doing well mentally, I was having panic
13:53:32 22 attacks going into the research lab every day, was
13:53:36 23 just like waiting for Dr. Noonan to scream at me.

13:53:40 1 I would frequently go and sob in the back stairwell
13:53:42 2 of health science because I knew no one would be
13:53:45 3 over there.

13:53:46 4 And I told Dr. Margulis all of this and she
13:53:49 5 just looked at me and said what do you want me to
13:53:51 6 do about it? You know he's difficult to work with,
13:53:53 7 that's just the way he is.

13:53:54 8 And then when I tried to tell her, you know,
13:53:57 9 I -- I feel like I'm trapped, I can't leave his
13:53:59 10 research team, there's no possibility for me to get
13:54:02 11 into like graduate school or law school without --
13:54:06 12 without his recommendation letter or some other --
13:54:10 13 some other -- some other research team or research
13:54:15 14 project that I could do outside of Noonan, she just
13:54:17 15 essentially said, well, either you can stay on the
13:54:20 16 team and be miserable and get your recommendation
13:54:22 17 letter or you can leave.

13:54:23 18 That's all I can tell you. What do you want
13:54:24 19 me to do? So yeah, I didn't feel like I had an
13:54:28 20 option to leave and I wanted to, but I couldn't.

13:54:32 21 Q. I'm going to move to strike the
13:54:51 22 nonresponsive portions of the answer.

13:54:52 23 Natassia, when was the first time you shared

13:54:55 1 your concerns about Dr. Noonan with Dr. Margulis?

13:54:58 2 **A.** During that April, March 2018 meeting.

13:55:09 3 **Q.** Where was that meeting?

13:55:12 4 **A.** It was in her office. I remember
13:55:17 5 after -- after my -- after a couple of the ABEC
13:55:21 6 students were trying to talk up Margulis and
13:55:23 7 telling me that I -- I should go talk to her, I --
13:55:27 8 I think I went after one of my classes to
13:55:30 9 Mary Fiorella because that's where you normally
13:55:34 10 book a meeting.

13:55:35 11 And I asked Mary to schedule me with
13:55:39 12 Dr. Margulis on whatever day that she had available
13:55:42 13 and that it was a private conversation that I
13:55:45 14 needed to have with her.

13:55:46 15 When I went into her office, I made sure
13:55:48 16 that the door was shut because I was really scared
13:55:50 17 of divulging what was going on on the research team
13:55:54 18 because Dr. Noonan made it seem like -- made it
13:55:58 19 seem like, you know, he had all of this power.

13:56:04 20 And he had a lot of -- of students, number
13:56:09 21 one, that -- that were kind of mesmerized by the
13:56:16 22 myth of Dr. Noonan, the -- the mask that he would
13:56:17 23 like to put on, the people that did not get to know

13:56:21 1 him that were not on his research team, but were
13:56:23 2 his students.

13:56:25 3 I was -- I was really scared to divulge
13:56:27 4 anything because that -- that feeling and knowing
13:56:31 5 that he's a very volatile person and if he knew
13:56:34 6 that I was going to talk to Margulis, that -- that
13:56:37 7 I would be in really big trouble.

13:56:39 8 I could get screamed at, I could -- I
13:56:42 9 could -- I was scared for my physical safety as
13:56:44 10 well and I remember specifically asking
13:56:48 11 Dr. Margulis to close the door because this was a
13:56:50 12 private meeting and yeah, I was in her office.

13:56:53 13 Q. I'm going to share my screen just for a
13:57:15 14 moment. Can you see my screen, Natassia?

13:57:19 15 A. Yes.

13:57:19 16 Q. So I'm showing you what will be marked
13:57:23 17 as Exhibit BU, it's Bates stamped Canisius 01106.
13:57:33 18 Take a moment and look at this, please, and let me
13:57:37 19 know when you're done.

13:57:44 20 A. Yep.

13:57:44 21 Q. Okay. Does this calendar invite refer
13:57:46 22 to the meeting that you just mentioned with
13:57:48 23 Dr. Margulis?

13:57:49 1 **A.** Yes.

13:57:49 2 **Q.** Okay. So it happened on March 12th,
13:57:53 3 2018; is that correct? Oh, sorry. Sorry, strike
4 that.

13:57:55 5 So the meeting happened on March 13th, 2018;
13:58:00 6 is that correct?

13:58:00 7 **A.** Correct.

13:58:01 8 **Q.** Okay. And -- so what specifically did
13:58:27 9 you say to Dr. Margulis at this meeting?

13:58:30 10 **MS. NANAU:** Objection to form. Are you
13:58:33 11 asking in addition to what she's already testified
13:58:35 12 or you just want her to do it again?

13 **BY MS. NAASSANA:**

13:58:38 14 **Q.** Well, I haven't asked the question yet
13:58:40 15 so please answer this question. What specifically
13:58:43 16 did you tell Dr. Margulis at this meeting?

13:58:46 17 **MS. NANAU:** Objection to form. Asked and
13:58:47 18 answered. You may answer.

13:58:48 19 **THE WITNESS:** I talked to her about the
13:58:54 20 harassment that I was receiving on nearly a daily
13:58:56 21 basis of either going into the research lab and --
13:59:02 22 yeah, I think at that point in time it was just me
13:59:05 23 going into the research lab at that point.

13:59:07 1 So I was talking to her about the most
13:59:10 2 recent verbal harassment that I was experiencing
13:59:15 3 and -- and the -- essentially the sex
13:59:21 4 discrimination that I was experiencing based on my
13:59:23 5 gender of -- of not being the type of woman that
13:59:26 6 Dr. Noonan wanted.

13:59:27 7 He wanted a submissive, quiet person and I
13:59:33 8 tried to talk about how, you know, when I would
13:59:34 9 push back on him or I would be doing my best to --
13:59:38 10 to meet his expectations, it was just never enough.

13:59:41 11 And looking back on it now, I realize it was
13:59:43 12 because I -- I -- I was not fitting his expectation
13:59:47 13 of what he -- he thought a woman should be and did
13:59:50 14 not like that I called him out on stuff.

13:59:53 15 But at that point in time, I told
13:59:55 16 Dr. Margulis that -- that I -- I was not doing well
14:00:01 17 mentally going into the research lab every day, I
14:00:05 18 didn't think I could take it much longer, and I
14:00:07 19 felt trapped because I couldn't leave the research
14:00:11 20 team without losing the opportunity to get a
14:00:14 21 recommendation letter from Noonan. And then, you
14:00:17 22 know, miss out on my research project that I was
14:00:20 23 really passionate about that I -- that I wanted

14:00:23 1 to -- that I wanted to continue researching and --
14:00:25 2 and getting that research credit.

14:00:28 3 And that ended up with her saying, you know,
14:00:37 4 what do you want me to do about this? That's just
14:00:41 5 the way he is, you know he's difficult to work
14:00:43 6 with. And it felt like it was this blame placed on
14:00:48 7 me of I should have known better even though I
14:00:51 8 would have never entered his research team if I
14:00:53 9 knew everything that was going to happen from the
14:00:57 10 moment, you know, I started taking his class to the
14:01:01 11 moment that the Title IX happened.

14:01:04 12 I would have never gone on the team and I
14:01:06 13 did not know the full extent of how difficult he
14:01:08 14 was to work with.

14:01:09 15 **BY MS. NAASSANA:**

14:01:10 16 **Q.** Did you use the term verbal harassment
14:01:13 17 during this meeting with Dr. Margulis?

14:01:14 18 **A.** I believe so or just like talking about
14:01:19 19 how he screams at me, how every little thing I do
14:01:25 20 is wrong. It -- it just -- yeah. I can't remember
14:01:31 21 the exact words that I used so I think it was just
14:01:35 22 me talking to her about my experience and very
14:01:38 23 likely said verbal harassment.

14:01:41 1 **Q.** Did you use the word sex discrimination
14:01:44 2 during this meeting?

14:01:45 3 **A.** Not at that time because I didn't
14:01:49 4 connect those two together. I didn't realize
14:01:52 5 that -- I didn't have the vocabulary at that point
14:01:54 6 in time.

14:01:55 7 I was in a very -- it should have been -- it
14:02:05 8 shouldn't have been on me to say that this was sex
14:02:08 9 discrimination. It should have been on Margulis
14:02:10 10 who has a duty to report to the Title IX office and
14:02:13 11 be able to pick up on these little tells.

14:02:16 12 Because she knew Dr. Noonan for a very long
14:02:18 13 time and it shouldn't have been on me to say I'm
14:02:20 14 being sexually discriminated against. It should
14:02:23 15 have been obvious.

14:02:24 16 **Q.** Have you testified about everything
14:02:27 17 that Dr. Margulis told you at this meeting or are
14:02:30 18 there additional things that she said at the
14:02:32 19 meeting?

14:02:33 20 **A.** That's all I can really recall. She
14:02:38 21 just was not helpful, made it -- again, put the --
14:02:41 22 the onus on me to -- to make a decision and did not
14:02:45 23 give me any options of saying, hey, if you leave

14:02:48 1 the research team, I'll help you get a
14:02:51 2 recommendation letter.

14:02:51 3 Like there was just no options. It was just
14:02:53 4 either stay on the research team and get your
14:02:55 5 recommendation letter or leave the research team
14:02:57 6 and you're screwed essentially for any graduate or
14:03:00 7 law school program that you want to enter into.

14:03:02 8 **Q.** So at the time of this meeting, were
14:03:06 9 you a triple major?

14:03:07 10 **A.** Yes.

14:03:08 11 **Q.** Did Dr. Margulis advise you to leave
14:03:16 12 Dr. Noonan's research team?

14:03:17 13 **A.** No.

14:03:19 14 **MS. NANAU:** Objection to form. You may
14:03:20 15 answer.

14:03:20 16 **THE WITNESS:** No. She just said those are
14:03:24 17 my options. Didn't even say, hey, I'm really
14:03:27 18 concerned about this, this is worrisome, nothing.
14:03:30 19 She did not say any of that. She just said what I
14:03:33 20 have said previously.

14:03:36 21 **BY MS. NAASSANA:**

14:03:37 22 **Q.** So did you -- did you stay on
14:03:39 23 Dr. Noonan's research team after this meeting?

14:03:41 1 **A.** Yeah, I felt forced to. I -- I got to
14:03:46 2 a point where I felt like the school was not going
14:03:50 3 to help me and I had to just succumb to the
14:03:55 4 realization that -- that I was going to go through
14:03:57 5 another year of -- of abuse and harassment.

14:04:01 6 And the best way I could just think of it
14:04:04 7 was just to put my head down and try to distance
14:04:07 8 myself as much as possible from Dr. Noonan and hope
14:04:10 9 that he didn't continue to yell at me and harass
14:04:14 10 me, come up to my -- come up to my computer and
14:04:18 11 start braiding my hair.


14:04:19 12 I was hopeful that like he wouldn't make me
14:04:22 13 stretch his knee even though I've always told him
14:04:26 14 no. Like I had to -- I had to mentally prepare
14:04:28 15 myself that that was going to be the rest of my
14:04:30 16 year.


14:04:36 17 **Q.** After this meeting with Dr. Margulis,
14:04:39 18 did you speak to anyone else on the faculty about
14:04:44 19 Dr. Noonan?



14:04:45 20 **MS. NANAU:** Objection to form. At any time?

14:04:50 21 **MS. NAASSANA:** Yes.

14:04:50 22 **THE WITNESS:** I spoke to Dr. Hogan and that
14:04:57 23 mainly came about during my -- my spring semester


14:05:02 1 of -- of my senior year. So like in January,
14:05:09 2 Leanne Walker who was a research student on
14:05:13 3 Noonan's team, I was good friends with 
14:05:19 4 we -- we, you know, always had like a good
14:05:23 5 friendship during Marineland and we liked to hang
14:05:25 6 out outside of -- of Marineland when we saw each
14:05:30 7 other in the library and stuff.


14:05:31 8 So when we were taking conservation biology
14:05:34 9 together that spring semester, we sat next to each
14:05:37 10 other.  was actually like sitting catty
14:05:42 11 corner, kitty-corner, whatever you want to call it,
14:05:45 12 next to us because like the research --
14:05:48 13 Dr. Noonan's research students were all kind of --
14:05:50 14 they liked to stick together.

14:05:53 15 So I was sitting next to  and 
14:05:57 16 was -- had plans to become a vet so she was an ABEC
14:06:04 17 and a biology major, she was a double major. And
14:06:11 18 Dr. Noonan created this research project for her
14:06:14 19 because she was the only one on the research team
14:06:17 20 that was taking -- was -- was majoring in biology.

14:06:22 21 And he needed someone that was majoring in
14:06:25 22 like biology and was taking like chemistry classes
14:06:28 23 and stuff to do a project -- a research project


14:06:32 1 where they were trying to determine the paternity
14:06:34 2 of all the whales that were born in Marineland.
14:06:37 3 So, you know, they were taking vials of the -- of
14:06:40 4 the blood of the Belugas that were born there to
14:06:43 5 determine who -- who was the father.

14:06:46 6 And so then she was doing that research
14:06:50 7 project and I remember from -- from talking to her
14:06:55 8 and then also talking to  who was also an
14:07:01 9 ABEC bio double major, that junior year was always
14:07:05 10 a very hard -- a very hard year to -- to go through
14:07:10 11 for biology.

14:07:12 12 You were taking like, you know, bio chem
14:07:14 13 which was extremely difficult and it's a year where
14:07:17 14 you don't -- you're -- you're just very focused on
14:07:20 15 school. And -- and so then when I -- I was talking
14:07:25 16 to  about like, oh, how's it going with, you
14:07:29 17 know, bio chem, how's your research project going
14:07:32 18 with Noonan.

14:07:33 19 Since we both weren't going to Marineland
14:07:35 20 and if you're not going to Marineland you're not
14:07:37 21 really seeing the research students at research
14:07:40 22 because everyone has a different time because there
14:07:42 23 was only a limited number of computers and a lot of

14:07:44 1 us used the same computer for our data.

14:07:47 2 So I really didn't get to see  at

14:07:49 3 research or get to see her really outside of

14:07:54 4 conservation bio so I was asking some updates and

14:07:57 5 she said, oh, yeah, well, Dr. Noonan really wants

14:08:00 6 me to do like 20-plus hours of work for research

14:08:02 7 each week and it's just something that like I can't

14:08:05 8 really keep up with.

14:08:06 9 It's not something that can be sustainable

14:08:08 10 for me and I'm really thinking about quitting and

14:08:11 11 then she said that Noonan was working with

14:08:18 12 Dr. Haeusser who was part of the biology department

14:08:21 13 on this research project because Noonan wasn't

14:08:24 14 really experienced in bio chem so he needed

14:08:28 15 Haeusser who I think specialized in microbiology.

14:08:32 16 So Noonan and Haeusser who was a fairly new


14:08:37 17 faculty member at that point in time and really had

14:08:40 18 not ever experienced Noonan and I think that's why

14:08:42 19 he ended up trying to collaborate with him because

14:08:45 20 he didn't know better.

14:08:46 21 When he started -- when they started going

14:08:50 22 into the lab together to -- with  to do these

14:08:54 23 samples, that's when Noonan started screaming at

14:08:58 1 [REDACTED] saying that she's not committed from what
14:09:02 2 [REDACTED] told me at least that like that was a really
14:09:04 3 bad interaction, but it wasn't unusual of the
14:09:08 4 things that we've experienced on the research team.

14:09:11 5 But what was kind of novel about it was that
14:09:14 6 it was in front of Dr. Haeusser and Dr. Haeusser
14:09:19 7 got very concerned with it and apparently brought
14:09:21 8 it up to Dr. Hogan who was the biology chair at
14:09:24 9 that point in time.

14:09:26 10 And so then when he brought it up,
14:09:28 11 apparently Dr. Hogan had reached out to [REDACTED] and
14:09:34 12 asked to have a meeting because she was concerned
14:09:37 13 about what was going on and so that was like early
14:09:43 14 January.

14:09:44 15 I remember -- at that point in time, I can't
14:09:46 16 remember if it was like before she met with Hogan
14:09:48 17 or if it was afterwards that -- that she ended up
14:09:54 18 deciding to quit Dr. Noonan's research team and I
14:09:57 19 remember she texted me about it.

14:09:58 20 And I said, you know, I think you should
14:10:00 21 talk to Dr. Margulis about this at least and she
14:10:05 22 responded and said, you know, I've already talked
14:10:08 23 to her and she told me to leave the team. And, you

14:10:11 1 know, when I'd talked to [REDACTED] she -- you know,
14:10:14 2 in person later on when I saw her in conservation
14:10:16 3 bio, she essentially said, yeah, Margulis just told
14:10:19 4 me to leave.

14:10:20 5 She didn't give me any options. She just
14:10:22 6 said, oh, I think this is for the best and that was
14:10:25 7 very similar to my experience. And so then -- so
14:10:30 8 then Leanne apparently went up and talked to
14:10:32 9 Dr. Noonan, said that she was leaving the team.

14:10:35 10 And then sometime in like -- I think this
14:10:41 11 was all happening in the span of maybe like a week,
14:10:44 12 two weeks. Somehow during conservation bio after
14:10:47 13 Leanne left the team and was -- had already met
14:10:51 14 with Dr. Hogan or was going to meet with Dr. Hogan,
14:10:55 15 during conservation bio before class, she was
14:10:58 16 talking to me and saying, you know, I think I'm
14:11:00 17 going to report Dr. Noonan to the Title IX office.

14:11:03 18 That's what Hogan wants me to do, that's
14:11:05 19 what she's recommending that I do, but I'm like
14:11:10 20 scared or that she was like worried of retaliation
14:11:14 21 and -- and so then she knew just based on, you
14:11:19 22 know, our time in research together, that
14:11:21 23 Dr. Noonan was really awful to me.

14:11:24 1 We did not have a -- Dr. Noonan and I did
14:11:27 2 not have a good relationship at that point in time
14:11:29 3 and she said do you want to go to Hogan with me,
14:11:34 4 maybe we can meet with Hogan together and I think
14:11:37 5 at that point in time she had already met with
14:11:39 6 Hogan one-on-one.

14:11:40 7 And so I said, okay, yeah, like let's do it
14:11:42 8 and I remember trying to be very quiet about this
14:11:46 9 because everything -- because of how small the
14:11:48 10 school is and how small the ABEC program is, word
14:11:54 11 travels fast.

14:11:55 12 And I -- I remember trying to like sneakily
14:11:59 13 look at Margulis to make sure that she wasn't
14:12:01 14 listening. I was looking over at Hannah Whelan and
14:12:06 15 Lily Engebrecht -- sorry, can't remember how to
14:12:08 16 pronounce her last name -- and at that point in
14:12:12 17 time, you know, I was under the assumption that
14:12:14 18 those were Noonan's new golden girls.

14:12:17 19 And I was really scared of them overhearing
14:12:22 20 us talking about this because I was afraid that
14:12:25 21 they were going to report it back to Noonan because
14:12:27 22 I had no knowledge at that time about what was
14:12:29 23 going on on the India trip and -- and stuff like

14:12:33 1 that.

14:12:34 2 So when I -- I remember talking very quietly
14:12:39 3 to Leanne and just saying, okay, let's -- let's
14:12:41 4 schedule this. And I think [REDACTED] was the one to
14:12:43 5 schedule the meeting with Hogan, [REDACTED] and I.
14:12:48 6 And before the meeting, I remember we met I think
14:12:51 7 in the library and we were like, okay, we want to
14:12:55 8 be as organized as possible.

14:12:56 9 And [REDACTED] said, okay, this is what I told
14:12:59 10 Dr. Hogan so far about like the yelling and the
14:13:01 11 screaming and stuff, but you have more experience
14:13:03 12 with like the sexual harassment that Dr. Noonan did
14:13:07 13 so like do we want to talk about that?

14:13:08 14 And that was a decision that we were really
14:13:11 15 trying to determine, like do we want to talk about
14:13:13 16 this, do we want to -- to bring this up because it
14:13:16 17 was a pretty well-known thing.

14:13:19 18 Like he would have research students
14:13:21 19 stretching his knee in -- in the research lab and
14:13:23 20 we weren't sure -- we weren't sure if we should
14:13:26 21 bring it up or if it was just a very well-known
14:13:29 22 kind of thing throughout the ABEC department and
14:13:31 23 probably the school.

14:13:32 1 And so we were like, okay, let's -- let's
14:13:33 2 try. Like let's first start talking about all
14:13:37 3 of -- all of the like harassment and the ways where
14:13:41 4 he's screaming at us, all the harassment in the
14:13:44 5 ways that he -- that he, you know, had such high
14:13:50 6 expectations for us which were just not reasonable
14:13:54 7 as a professor.

14:13:54 8 We started off with those and then we
14:13:56 9 finally got to the bottom of the page and said,
14:13:58 10 okay, let's put in the sexual harassment stuff and
14:14:00 11 let's keep it very minimal because we don't want a
12 paper trail, number one because we were still
13 very --

14 (Reporter interruption.)

14:14:15 15 **THE WITNESS:** Because we were very paranoid
14:14:17 16 at that point in time of not knowing if this was
14:14:19 17 going to go anywhere, if we were going to be taken
14:14:22 18 seriously.


14:14:23 19 And so I -- I remember typing it up on my
14:14:27 20 laptop and we brought a copy to our meeting with
14:14:33 21 Dr. Hogan and we started off with the very top part
14:14:36 22 of our concerns on the -- on the sheet of paper.


14:14:40 23 And Dr. Hogan, we were trying to feel her

14:14:44 1 out and then she -- she seemed very concerned with
14:14:47 2 just the -- the sex discrimination, general
14:14:50 3 harassment kind of activities that were -- that we
14:14:56 4 were listing off.

14:14:56 5 And then we finally were like, okay, we're
14:14:59 6 going to talk about the sexual harassment now and
14:15:01 7 then I think that's when her eyes really just
14:15:04 8 like -- I remember her eyes going just really wide
14:15:06 9 and I think she realized that she opened a can of
14:15:09 10 worms that she was not -- she was not expecting.

14:15:14 11 And so that's when she really recommended
14:15:17 12 that we go to the Title IX office and I was still
14:15:22 13 trying to decide whether or not I was comfortable
14:15:24 14 doing so.

14:15:26 15 So I had that meeting with her and then
14:15:29 16 somehow -- even though we were trying to be quiet
14:15:32 17 about it, somehow word spread and 
14:15:43 18 she was working on Project Tiger and also Project
14:15:46 19 Wolf while I was in the research lab during my
14:15:49 20 senior year and she -- you know, we were leaving
14:15:51 21 the research lab at the same time one day.

14:15:54 22 And  came up to me and just said,
14:15:58 23 hey -- we were like walking back from health

14:19:40 1 how big this was getting. And then, you know,
14:19:43 2 Linda I think kind of stopped us and said, okay,
14:19:46 3 like I want to talk to each of you individually and
14:19:48 4 then she set up meetings with us.

14:19:49 5 I met with Linda maybe even that same day,
14:19:52 6 the next day. It was fairly shortly afterwards and
14:19:56 7 that meeting lasted like 15 minutes where Linda
14:20:01 8 was -- was very -- I got the vibe of she was very
14:20:05 9 dismissive, wasn't really asking -- looking back on
14:20:11 10 this now, when I'm an attorney where I am dealing
14:20:14 11 with domestic violence, I'm dealing with child
14:20:17 12 abuse on a daily basis, I -- I have to be very
14:20:20 13 careful in how I'm asking my questions to, you
14:20:23 14 know, potential new clients that are doing
14:20:25 15 consults.

14:20:25 16 Because I don't want them to feel like they
14:20:28 17 are being blamed in any way and I think when you
14:20:32 18 are in a field where there's a lot of traumatizing
14:20:38 19 and very sensitive topics, you have to be very
14:20:42 20 careful in how you are wording your questions and
14:20:45 21 how you are coming off to make it seem -- or not
14:20:48 22 make it seem -- to actually show the person that
14:20:51 23 you care, number one, and that you're taking this

14:20:54 1 seriously.

14:20:54 2 And I believe it gets more information out
14:20:57 3 of -- out of people when you are saying, hey, I --
14:21:01 4 you know, I don't want you to think that I'm
14:21:03 5 blaming you, I have to ask this question just to be
14:21:05 6 thorough. That was never any caveat Linda
14:21:09 7 provided.

14:21:09 8 It was just, well, what was the harassment
14:21:13 9 that you experienced and I -- I told her about the
14:21:18 10 knee stretching which happened over the summer of
14:21:22 11 junior year going into senior year when I was a
14:21:27 12 like -- it was for CAC, but it wasn't for -- it
14:21:32 13 wasn't for credit. It was just like a summer job
14:21:35 14 where I was doing puppet shows at the Buffalo Zoo.

14:21:38 15 During those prep sessions where we were in
14:21:42 16 Dr. Noonan's lab like writing out the script of --
14:21:45 17 you know, of the puppet show and getting our
14:21:48 18 uniforms, that's when, you know, he made -- made us
14:21:54 19 stretch his knee in the lab.

14:21:55 20 And I remember saying no and that I didn't
14:22:00 21 feel comfortable and he -- he made me -- he just
14:22:03 22 like kept on pressuring me until I had to say yes
14:22:06 23 and I remember having -- the way that he wanted us

14:22:08 1 to do it was to put our one hand right below his
14:22:12 2 knee near his shin and then the other hand like mid
14:22:16 3 thigh and push down.

14:22:17 4 And he would make this groaning sound and it
14:22:20 5 was a mixture of like either pain or pleasure and I
14:22:23 6 got very uncomfortable with it and I didn't want to
14:22:26 7 do it again. But then when we went to the Buffalo
14:22:30 8 Zoo when we were like trying to set up for the --
14:22:33 9 the puppet shows, there was like these benches on
14:22:38 10 the puppet shows for, you know, everyone to sit in
14:22:40 11 the audience.

14:22:41 12 And they were empty at that time because we
14:22:43 13 weren't doing the puppet show yet, we were just
14:22:45 14 trying to get it all set up and Noonan was sitting
14:22:49 15 on one of the benches with his knee up -- with his
14:22:51 16 leg up and asked me to stretch his knee again.

14:22:54 17 And, again, I told him no, that I didn't
14:22:56 18 feel comfortable and, again, he just kept on
14:22:58 19 pressuring and saying, come on, it really hurts and
14:23:01 20 I don't have -- you know, I don't have a wife
14:23:03 21 anymore and I don't have anyone, I live alone, so I
14:23:05 22 need -- I need you to stretch my knee for me, you
14:23:08 23 need to do this.

14:35:12 1 Dr. Hogan on Tuesday, February 5th, 2019?

14:35:17 2 **A.** If that's what the message says, then
14:35:21 3 yeah. I don't remember the exact date, but from
14:35:24 4 the e-mails, it looks like that's when we met.

14:35:26 5 **Q.** Okay. So what questions and concerns
14:35:28 6 did you and Leanne discuss with Dr. Hogan at that
14:35:34 7 meeting on February 5th, 2019?

14:35:37 8 **A.** We discussed the -- essentially we
14:35:42 9 discussed the verbal harassment and the -- the
14:35:48 10 verbal harassment and the dynamics on Dr. Noonan's
14:35:51 11 research team with his overly high expectations as
14:35:55 12 a professor.


14:35:56 13 And then we also brought up the concerns
14:36:03 14 regarding Noonan -- Noonan's crossing boundaries
14:36:08 15 of -- of him -- of him asking sexual -- sexual
14:36:14 16 questions, which he normally called girl talk.

14:36:19 17 I remember talking to Hogan specifically
14:36:23 18 about some of the comments that he made during the
14:36:27 19 photography class since we were going, you know, on
14:36:30 20 these day field trips together where I was recently
14:36:35 21 dating my current fiancé at that time.

14:36:37 22 And I told Dr. Hogan that he made a comment
14:36:43 23 while we were all walking around and he heard -- he


14:36:46 1 overheard that I was dating someone and that we --
14:36:49 2 we met on Tinder. He -- he made this comment of,
14:36:52 3 oh, well, you know, that's a hookup app and maybe I
14:36:55 4 should start going on Tinder to find -- to find
14:36:59 5 dates.

14:36:59 6 And that made me really uncomfortable
14:37:02 7 especially since it felt like he was insinuating
14:37:05 8 that -- like he was kind of hinting at that I was
14:37:11 9 being sexual with my -- with my partner at the time
14:37:14 10 which I didn't think was really appropriate.

14:37:17 11 I remember we talked about some comments
14:37:22 12 that -- that Dr. Noonan made to  specifically
14:37:27 13 during her bio lab -- not bio lab, but like her
14:37:32 14 research in the bio lab with Noonan. There was
14:37:34 15 like something about like a pipet getting squirted
14:37:39 16 somewhere, like just not in the -- like the correct
14:37:41 17 place.

14:37:42 18 And then I think Dr. Noonan made like a -- a
14:37:45 19 squirting joke or like a sexual kind of joke about
14:37:48 20 like squirting or about -- I can't remember if it
14:37:53 21 was about squirting or if it was about like
14:37:55 22 ejaculation, but that was the joke he made.

14:38:00 23 Yeah, I think we brought up the knee

14:38:03 1 stretching, we talked -- I believe we talked about
14:38:08 2 the microphones going through -- I don't think
14:38:12 3  experienced this, but I remember bringing up
14:38:14 4 the microphone that Noonan would put through my
14:38:18 5 shirt when I was doing the puppet shows with him.
14:38:25 6 Yeah, I think that was the gist of our meeting on
14:38:32 7 that day.

14:38:33 8 Q. Okay. Thank you. Okay. So what --
14:38:42 9 what did Dr. Hogan say in response?

14:38:44 10 A. I can't remember exactly what she said.
14:38:47 11 I just remember her body language just looking to
14:38:49 12 be very concerned and overwhelmed. And I think
14:38:58 13 that was the meeting where when I told her about
14:39:00 14 the knee stretching, she made this comment of,
14:39:03 15 wait, I -- I went into his office this past
14:39:06 16 semester and saw someone stretching his knee, I
14:39:08 17 thought that was a physical therapist.

14:39:10 18 And I think she was starting to put the dots
14:39:14 19 together that no, it wasn't a physical therapist,
14:39:16 20 it was a student that was stretching his knee.

14:39:22 21 Q. Okay.

14:39:22 22 A. So I think she was kind of shocked by
14:39:24 23 learning this new information and I think during

14:39:29 1 that meeting, she -- she recommended that we get in
14:39:33 2 contact with the Title IX office, specifically
14:39:37 3 Linda Walleshauser.

14:39:39 4 **Q.** Okay. So before -- strike that.
14:39:44 5 Strike that.

14:39:45 6 After this February 5th meeting with
14:39:46 7 Dr. Hogan but before you reported to the Title IX
14:39:49 8 office, did you meet again with Dr. Hogan?

14:39:52 9 **A.** Sorry, you said -- could you just --

14:39:59 10 **Q.** Sure. So after that meeting you just
14:40:01 11 described but before you went to Linda and the
14:40:04 12 Title IX office, in that period, did you meet again
14:40:08 13 with Dr. Hogan?

14:40:10 14 **A.** I don't believe so. I know that I met
14:40:16 15 with her a couple more times, but I think it was
14:40:19 16 solely after meeting with Linda and having the
14:40:23 17 Title IX investigation opened. I -- I believe I
14:40:25 18 did reach out to possibly Hogan via e-mail --

14:40:29 19 **Q.** Okay.

14:40:29 20 **A.** -- after I found out more girls wanted
14:40:31 21 to -- to come forward, but I don't think there was
14:40:34 22 ever like an in person meeting.

14:40:36 23 **Q.** Okay. I'm going to stop sharing my

14:40:41 1 screen. Okay. So when was the first time you
14:40:52 2 raised your concerns regarding Dr. Noonan with
14:40:54 3 anyone in the -- in the Title IX office?

14:40:56 4 **A.** I think that was like in early February
14:41:05 5 is when I reached out to Linda and sent that first
14:41:08 6 e-mail saying that I wanted to set up an
14:41:10 7 appointment with her.

14:41:11 8 And then after I found out and got
14:41:13 9 confirmation from the other Project Tiger girls
14:41:19 10 that -- that they were in agreement of coming
14:41:21 11 forward, I think I sent Linda a second e-mail and
14:41:23 12 said, you know, there's actually more girls that
14:41:27 13 want to come forward, can we try to set up a better
14:41:30 14 place to meet because I think offices are kind of
14:41:33 15 tiny with, you know, 10-plus people there.

14:41:36 16 **Q.** So where -- where did that meeting take
14:41:39 17 place?

14:41:39 18 **A.** I believe it was -- I know it was in
14:41:47 19 Old Main, but for some reason Old Main 101, that
14:41:50 20 number is ringing a bell.

14:41:52 21 **Q.** And what -- what happened at that -- at
14:41:54 22 that group meeting with Linda?

14:41:56 23 **A.** So during that group meeting, I think

14:41:57 1 it was a pretty short meeting. I do remember -- I
14:42:04 2 feel like looking through just trying to like get
14:42:07 3 my memory back, I remember that Hannah Whelan --
14:42:12 4 the girls -- we wanted to be very united and we
14:42:16 5 wanted to not really talk over each other all at
14:42:18 6 once.

14:42:19 7 We wanted to have one kind of like
14:42:20 8 spokesperson at that meeting and so I think the --
14:42:23 9 the Project Tiger girls ultimately chose
14:42:29 10 Hannah Whelan to kind of do that speaking role for
14:42:31 11 them and I think we all kind of met and very
14:42:35 12 generally started talking about our concerns with
14:42:37 13 Noonan.

14:42:38 14 I just remember -- I don't remember a lot
14:42:43 15 that was said. I think it was just very general
14:42:45 16 concerns because Linda was saying I want to talk
14:42:48 17 with you all individually before I get any more
14:42:51 18 details.

14:42:52 19 Q. Do you remember how long that meeting
14:42:55 20 was?

14:42:56 21 A. No, not that I can recall. Maybe like
14:43:01 22 half an hour.

14:43:02 23 Q. Do you remember anything else that --

15:06:56 1 complaint about this.

15:06:57 2 **BY MS. NAASSANA:**

15:07:11 3 **Q.** Okay. Okay. Let's go back to February
15:07:12 4 of 2019. After the group meeting you had with --
15:07:18 5 with Linda on February 11th, 2019, did you meet
15:07:21 6 with her individually?

15:07:22 7 **A.** Yes.

15:07:25 8 **Q.** Do you know when you met with her?

15:07:27 9 **A.** I think it was like shortly after that
15:07:31 10 group meeting. Maybe that same day, maybe the day
15:07:35 11 following. I can't remember the exact day.

15:07:42 12 **Q.** What happened at that individual
15:07:44 13 meeting with Linda?

15:07:45 14 **A.** I felt very rushed. I think I met with
15:07:52 15 her a total of 15 minutes and during that time, she
15:07:57 16 was asking questions that really seemed to put
15:08:02 17 blame and insinuate blame on me.

15:08:04 18 When I told her -- and I do just want to
15:08:08 19 make this correction. I believe that I did the
15:08:12 20 puppet show with Dr. Noonan my sophomore year going
15:08:15 21 into junior year, that summer, so the summer of
15:08:21 22 2018.

15:08:22 23 So when I was -- that -- when I told her

15:08:28 1 about the knee stretching and what occurred at --
15:08:33 2 you know, in the research lab along with at the
15:08:37 3 Buffalo Zoo, the response that I would get was do
15:08:45 4 you have any more recent instances.

15:08:47 5 Or it would be, well, did you tell him no
15:08:51 6 and I would respond and say, yeah, I did tell him
15:08:54 7 no and then it would just be this kind of move on
15:08:59 8 from that question.

15:09:01 9 And I didn't feel -- like during that
15:09:09 10 meeting, I -- I think I was still processing all of
15:09:19 11 the -- all of like the all-encompassing harassment
15:09:27 12 Dr. Noonan did to me and I didn't really have a lot
15:09:30 13 of time to really sit and think of every single
15:09:36 14 instance because at a point it got so normal,
15:09:42 15 normalized to me.

15:09:44 16 And so I -- you know, I felt like when I was
15:09:49 17 telling her the biggest incidences in my head at
15:09:54 18 the time of the sexual harassment and her saying,
15:09:57 19 well, do you have any more recent incidences, it
15:09:59 20 just felt like if I told her more about the smaller
15:10:03 21 things or more about the dynamic of this being a
15:10:11 22 very intentional relationship that Dr. Noonan --
15:10:14 23 that Dr. Noonan specifically planned out with each

15:10:17 1 and every student that he came into contact with,
15:10:20 2 that, you know, his plan to -- it wasn't just this
15:10:27 3 0 to 100 kind of thing.

15:10:30 4 It was a very slow and small boundary
15:10:35 5 crossing of -- of incidences and it just felt like
15:10:40 6 since the big sexual harassment stuff occurred, you
15:10:47 7 know, two -- two years prior or like a year and a
15:10:50 8 half prior to when I was reporting it, it didn't
15:10:52 9 matter at that point in time.

15:10:53 10 That was the -- the -- that was the takeaway
15:11:00 11 from -- from that meeting and so I didn't feel like
15:11:05 12 I could really open up more about just how
15:11:10 13 insidious this dynamic was and I -- I don't think I
15:11:15 14 really had the vocabulary to verbalize all of it
15:11:19 15 because I was still so in it at that point in time.

15:11:24 16 **Q.** So what else did Linda say to you
15:11:26 17 during this meeting?

15:11:27 18 **A.** I think I expressed to her immense fear
15:11:35 19 about Dr. Noonan finding out about the Title IX
15:11:37 20 investigation and from what I recall, that was a
15:11:41 21 big thing that we talked about in the group meeting
15:11:46 22 with the girls as well with all, you know, eight of
15:11:48 23 us, 10 of us.

15:11:50 1 So when I talked to her one-on-one and I
15:11:53 2 think also during the group meeting now that I'm
15:11:55 3 like kind of having this all come back, Linda just
15:11:59 4 kept on reiterating over and over and over again
15:12:03 5 that retaliation is not acceptable or like is not
15:12:06 6 tolerated. There was no discussion of what, number
15:12:10 7 one, retaliation would look like and there was no
15:12:15 8 discussion about the process.

15:12:18 9 I remember in both meetings asking about the
15:12:21 10 process of what this Title IX investigation is
15:12:24 11 going to look like and the answer that I just kept
15:12:28 12 on getting back was, well, every case is different
15:12:31 13 and I can't really tell you because it's a
15:12:33 14 different process each time.

15:12:34 15 And I just felt even more scared then
15:12:40 16 because I didn't know what was going to come out of
15:12:44 17 this case, what was it -- what it was going to
15:12:46 18 entail. All I knew is that they were going to have
15:12:49 19 a meeting with Dr. Noonan and I didn't know what
15:12:53 20 was going to happen from there.

15:12:56 21 It was just that they were going to have an
15:12:57 22 investigation, it was going to be open, and that
15:13:00 23 retaliation is prohibited. That -- that was it.

15:13:05 1 And it didn't feel like a sufficient explaining of,
15:13:09 2 number one, the Title IX and, number two, what
15:13:12 3 retaliation looks like and there was absolutely no
15:13:14 4 discussion about potential accommodations that I
15:13:17 5 could get during this time.

15:13:18 6 **Q.** You just mentioned something about the
15:13:20 7 investigation, how you knew it was going to be
15:13:23 8 opened. What do you -- what do you mean by that?

15:13:26 9 **A.** I don't know. They just kept on
15:13:29 10 referring to it as an investigation. That the
15:13:33 11 Title IX investigation is now open and that they're
15:13:38 12 fact gathering and then once they have met with
15:13:42 13 everyone, then that's when they're going to talk to
15:13:45 14 Dr. Noonan.

15:13:49 15 So that was the extent of what I knew. I
15:13:52 16 didn't know what was going to happen following
15:13:54 17 after they talked to Dr. Noonan. Was he going to
15:13:57 18 be on campus, was he going to stay on campus, did
15:14:00 19 we have to go in the research lab with him every
15:14:03 20 single day after he -- he found out? It was really
15:14:12 21 unclear.

15:14:15 22 **Q.** And this meeting was in Linda's office,
15:14:17 23 right?

15:14:18 1 **A.** Yes.

15:14:20 2 **Q.** Okay. Did you ask any questions to
15:14:29 3 Linda at this meeting?

15:14:31 4 **A.** I think it was just asking about the
15:14:34 5 process and, you know, already what I testified
15:14:36 6 about of not having really any solid answers.

15:14:52 7 Oh, and I think -- I think I also talked
15:14:54 8 about research and what -- what was going to happen
15:14:56 9 with research. I don't remember the exact answer
15:15:00 10 Linda gave me, but I do think that that was, you
15:15:03 11 know, one of my concerns at the time was, number
15:15:05 12 one, you know, my research project, but also for
15:15:09 13 Emily Began and Maddie Blackwell's research
15:15:12 14 projects.

15:15:13 15 Who, you know, they -- they wanted to get
15:15:16 16 published and I was afraid for them losing out on
15:15:19 17 that opportunity to -- to get published if Noonan
15:15:23 18 ended up leaving.

15:15:24 19 **Q.** Did Ms. Walleshauser tell you to submit
15:15:38 20 a written statement?

15:15:39 21 **A.** Yes.

15:15:39 22 **Q.** Did you provide a written statement to
15:16:00 23 Linda after that individual meeting with her?

15:16:02 1 **A.** No. I started drafting one. I
15:16:08 2 remember being in the library and starting to draft
15:16:10 3 it and then I kept on getting all of these text
15:16:12 4 messages from the Project Tiger girls that I was
15:16:17 5 hoping that it was just a fluke meeting with --
15:16:20 6 mine and Linda's meeting, individual one-on-one
15:16:23 7 meeting.

15:16:23 8 But as I heard back more and more from the
15:16:29 9 Project Tiger girls, I got scared of this was just
15:16:32 10 going to -- this investigation was not going to go
15:16:34 11 anywhere and I -- I don't think I was really even
15:16:43 12 ready to write about my experience.

15:16:46 13 So I started it and then I shut my laptop
15:16:49 14 and never tried to open it back up again and
15:16:53 15 restart it. I just -- at that point in time, I
15:16:56 16 felt -- I felt really exhausted and it felt like I
15:17:04 17 was already struggling enough in school.

15:17:08 18 That I just -- I couldn't -- I couldn't
15:17:10 19 handle having to like write about all of this
15:17:13 20 traumatic stuff happening to me and feeling like
15:17:17 21 I -- I'm begging the administration to take my --
15:17:20 22 my concerns seriously and take my experience
15:17:24 23 seriously.

15:43:24 1 **Q.** Okay. Let me just get the Bates
15:43:26 2 number, sorry. So it's Bates stamp Canisius 01815.
15:43:31 3 Okay. So these are e-mails between you and
15:43:36 4 Dr. Hogan on February 21st, 2019.

15:43:42 5 Did you meet with Dr. Hogan as its indicated
15:43:46 6 here in this e-mail?

15:43:47 7 **A.** I believe so, yes.

15:43:56 8 **Q.** Okay. So what did you discuss with --
15:43:58 9 with Dr. Hogan?

15:43:58 10 **A.** I think this was the meeting where I
15:44:02 11 brought up with her putting in a no contact clause.
15:44:08 12 I could be mixing it up with another meeting, but I
15:44:11 13 think at that point in time when we knew that
15:44:17 14 Dr. Noonan wasn't going to be at Canisius teaching,
15:44:21 15 we were still worried that he was going to be
15:44:24 16 hostile to us and try to reach out to us.

15:44:29 17 So I believe that was the meeting where I
15:44:30 18 just like shortly asked her if we could include a
15:44:33 19 no contact clause.

15:44:44 20 **Q.** What do you mean by you were worried
15:44:46 21 that he would be hostile to you?

15:44:47 22 **A.** Because we didn't know what the process
15:44:52 23 was going to look like. All we knew was that

15:44:55 1 Dr. Noonan was going to be interviewed or have a --
15:44:59 2 have a meeting with -- I don't even know who it all
15:45:03 3 was with.

15:45:04 4 I just remember it was -- I think, you know,
15:45:08 5 Linda said that it was going to be her at the
15:45:10 6 meeting, but we had no idea who else was there and
15:45:14 7 we had no idea what was going to be said at the
15:45:16 8 meeting.

15:45:17 9 You know, we had given Linda all of that
15:45:21 10 information, you know, either in individual
15:45:24 11 meetings or through written statements, but we
15:45:27 12 didn't know if they were going to say our names, if
15:45:30 13 they were going to give out identifying
15:45:32 14 information.

15:45:32 15 But, again, it is very easy if you're on a
15:45:36 16 research team made up of three students at that
15:45:40 17 point in time, to figure out who exactly was making
15:45:43 18 a complaint about Dr. Noonan. And so I think we
15:45:50 19 were -- we were worried that once he was confronted
15:45:54 20 because of how volatile he was with us, we were
15:46:00 21 unsure what -- what his reaction was going to be.

15:46:04 22 If it was going to be aggressive, if he was
15:46:08 23 going to yell at us, if he was going to harass us,

15:46:13 1 like we had -- we had no knowledge of what was
15:46:15 2 going to happen. And even though Linda kept on
15:46:20 3 saying, well, retaliation is prohibited, it -- it
15:46:23 4 didn't really -- it didn't really meet our concerns
15:46:29 5 of, well, how can we prevent retaliation in the
15:46:31 6 first place?

15:46:32 7 Like at that point in time, we didn't even
15:46:34 8 really know when they were having this meeting with
15:46:36 9 him, if he was still going to be on campus
15:46:41 10 following all of this happening. So all of that
15:46:48 11 happening and going on, if -- if this is like the
15:46:51 12 time when they actually had that meeting with him,
15:46:54 13 I do remember when I talked to Hogan asking her
15:47:01 14 what happened during that meeting, like how did he
15:47:04 15 react, and Dr. Hogan said I can't really say, but
15:47:10 16 all I can say was that he was upset.

15:47:11 17 And when she said that he was upset, I felt
15:47:14 18 that that could be interpreted in many different
15:47:18 19 ways. Was he crying, was he -- was he apologetic,
15:47:20 20 was he angry, was he yelling? I -- that's --
15:47:24 21 that's all that she would tell me and, you know, at
15:47:27 22 that point in time with that anxiety and fear being
15:47:31 23 so high of not knowing how he would react, I

15:47:34 1 assumed the worst.

15:47:35 2 Q. Were you talking a class with
15:47:39 3 Dr. Noonan during the spring 2019 semester?

15:47:41 4 A. Besides my CEEP credit, no.

15:47:46 5 Q. Did you ultimately receive your CEEP
15:47:52 6 credit?

15:47:52 7 A. Yes.

15:47:52 8 Q. And it was one credit, right?

15:47:55 9 A. I believe so, yeah.

15:47:59 10 Q. Who filled Dr. Noonan's role after
15:48:10 11 he -- after he left in terms of supervising your
15:48:17 12 CEEP project?

15:48:18 13 A. I -- I believe the role was given to
15:48:22 14 Dr. Hoffman, but I had never really had a working
15:48:25 15 relationship with her. I never had taken any of
15:48:28 16 her classes and so I -- I remember not really -- I
15:48:36 17 had -- I just had also heard from -- from other
15:48:40 18 people in animal behavior that -- that they had bad
15:48:47 19 experiences with Dr. Hoffman.

15:48:49 20 Not in like the harassment context, but more
15:48:53 21 of her telling students that they weren't -- that
15:48:56 22 they weren't cut out for veterinary school. And so
15:49:02 23 I -- having that knowledge in my head, I -- I

15:49:06 1 didn't really feel comfortable talking to her.

15:49:08 2 I do remember her coming to the research lab
15:49:11 3 one day when I was working on my CEEP Ignatian
15:49:17 4 Scholarship Day poster and -- and her looking
15:49:23 5 over -- like I think I was telling her about my
15:49:27 6 research project and telling her about my past
15:49:30 7 posters.

15:49:32 8 And when -- when I was explaining it to her,
15:49:36 9 she -- she asked a question, well, have you ever
15:49:40 10 done any research on this to see if -- if any -- if
15:49:46 11 any -- if there's been any studies on this already
15:49:49 12 that have been done and I remember telling her no.

15:49:54 13 Essentially, you know, Dr. Noonan just
15:49:58 14 would -- for every Ignatian Scholarship Day
15:50:02 15 poster -- there was also a time we had to make
15:50:04 16 posters for like a Rochester conference as well.
15:50:06 17 For all of those posters, Dr. Noonan just told me
15:50:09 18 what to write, dictated it for me, and I wrote it
15:50:12 19 down.

15:50:14 20 He never told -- told me that I should be --
15:50:18 21 I should be doing research into other research
15:50:22 22 studies. It -- it wasn't focused -- it wasn't
15:50:25 23 focused on teaching of like how to be a researcher.

15:50:30 1 And I remember Dr. Hoffman kind of being silent and
15:50:35 2 looking at me incredulously and I just felt in that
15:50:40 3 moment -- I felt really stupid.

15:50:42 4 I felt like after that interaction, I didn't
15:50:45 5 feel comfortable going up to talk to her because,
15:50:49 6 number one, the way that she kind of reacted to me
15:50:53 7 when I was talking to her and then, number two,
15:50:57 8 there was just like a general air following the
15:51:02 9 Canisius like Title IX investigation with Noonan.

15:51:09 10 It felt like this very subtle frustration
15:51:13 11 with the students who came forward and how much
15:51:15 12 extra work all of the other Canisius professors had
15:51:19 13 on their plates now that Noonan was gone and it --
15:51:24 14 it just felt as if the way that they were talking
15:51:28 15 about it was this frustration of like we were to
15:51:32 16 blame.

15:51:32 17 We were being the squeaky wheels, you're
15:51:34 18 being the cogs in the machine for reporting to the
15:51:37 19 Title IX office, and it was more focused around the
15:51:42 20 professors being concerned with their own load of
15:51:44 21 work rather than checking in on us to see if we
15:51:47 22 were okay and if we needed any accommodations.

15:51:55 23 **MS. NAASSANA:** Just as a kind of a reminder,

15:57:24 1 during freshman year my courses were mapped out for
15:57:28 2 that entire year.

15:57:29 3 And then at the spring semester of my
15:57:32 4 freshman year, that's when like we would register
15:57:34 5 for the following year. But I can't remember from
15:57:37 6 like freshman year going into sophomore year if it
15:57:42 7 was just by semester or if it was just by -- if it
15:57:47 8 was just for the entire year. I -- I can't exactly
15:57:49 9 remember.

15:57:50 10 So it could have either been -- when I
15:57:53 11 registered for those classes, it could have either
15:57:55 12 been, you know, the end of, what, spring of 2018 or
15:58:00 13 it could have been the fall of -- of 2018.

15:58:06 14 **Q.** Okay. And just to clarify, you
15:58:13 15 mentioned Dr. Klump, you were taking a class with
15:58:17 16 him in spring 2019.

15:58:18 17 What -- what specifically did you say to
15:58:20 18 Dr. Klump after you handed in your -- your paper
15:58:24 19 late -- your poster late? Sorry.

15:58:26 20 **A.** No, it was -- it was a paper.

15:58:28 21 **Q.** Oh, a paper? Okay.

15:58:29 22 **A.** Yeah.

15:58:30 23 **MS. NANAU:** Objection to form. Asked and

15:58:31 1 answered. You may answer.

15:58:34 2 **MS. NAASSANA:** It hasn't been asked. That
15:58:35 3 question has not been asked.

15:58:37 4 **MS. NANAU:** Right. But she provided the
15:58:40 5 answer to this question in response to another
15:58:42 6 question.

15:58:42 7 **MS. NAASSANA:** You can't mix and match the
15:58:44 8 answers to questions, Daniela.

15:58:47 9 **MS. NANAU:** You're asking her to testify
15:58:49 10 again to the same question so I'm going to make my
15:58:51 11 objection.

15:58:52 12 **MS. NAASSANA:** Okay. Andrea, could you --
15:58:57 13 could you read back the question again, please?

15:58:59 14 (The above-requested question was then
15:59:16 15 read by the reporter.)

15:59:16 16 **MS. NANAU:** Same objection. You can answer.

15:59:18 17 **THE WITNESS:** I -- so I handed in -- I
15:59:24 18 handed in the paper -- I don't think I actually
15:59:30 19 handed in the paper at that point in time, but
15:59:32 20 essentially I walked into class, the papers were
15:59:36 21 due.

15:59:36 22 With everything going on, just having the
15:59:41 23 Title IX investigation starting, I -- I felt really

15:59:43 1 overwhelmed. So I waited until the end of class
15:59:46 2 and normally for Dr. Noonan's -- sorry, Dr. -- or
15:59:51 3 Professor Klump's class, he would -- he would
15:59:55 4 normally have like 30 minutes of -- of time
16:00:01 5 after -- after his class to have like office hours.

16:00:05 6 So I went up to Professor Klump following
16:00:09 7 class ending and I said, hey, can I talk to you
16:00:12 8 about my paper, can we -- can we go to your office
16:00:15 9 to talk somewhere private?

16:00:18 10 And then that's when I disclosed that there
16:00:21 11 was currently a Title IX investigation going on and
16:00:25 12 that -- I didn't say names because I -- I wasn't
16:00:30 13 sure -- I wasn't sure the parameters around that
16:00:34 14 and if that would impede the investigation.

16:00:38 15 And so I talked to him about it and -- and I
16:00:43 16 said, you know, the Title IX investigation is going
16:00:45 17 on, this is what's kind of happening. I'm sorry
16:00:47 18 that this is late, can I -- can I get it to you at
16:00:51 19 a later date or like later tonight?

16:00:54 20 And he said yes, but I'm still docking a
16:00:59 21 half letter grade off for being late regardless of
16:01:02 22 the reason.

16:01:03 23 **BY MS. NAASSANA:**

16:01:07 1 **Q.** Where was this meeting with Dr. Klump?

16:01:10 2 **A.** It was in his office. So it was in
16:01:12 3 Lyons Hall, second floor in the like political
16:01:16 4 science offices. And I -- I remember asking if we
16:01:21 5 could close the door because I didn't want the
16:01:24 6 receptionist who was literally right across from
16:01:27 7 Dr. Klump's office to overhear what was going on
16:01:30 8 and he was very hesitant of that and like still had
16:01:34 9 the door open a crack.

16:01:37 10 **Q.** What grade did you ultimately receive
16:01:41 11 on that paper?

16:01:42 12 **A.** I think it was an A minus, maybe B
16:01:48 13 plus. I can't remember.

16:01:49 14 **Q.** And what grade did you ultimately
16:01:51 15 achieve in the -- in the course with Dr. Klump?

16:01:55 16 **A.** An A.

16:02:01 17 **Q.** Did you ask for any personal supports
16:02:03 18 or accommodations during or after February 2019?

16:02:07 19 **MS. NANAU:** Objection to the form of the
16:02:08 20 question. You can answer, if you can.

16:02:11 21 **THE WITNESS:** No. I -- I didn't even really
16:02:15 22 know that there were mainly accommodations
16:02:19 23 especially after, you know, Professor Klump

16:02:21 1 still -- like he -- he's an attorney and I thought,
16:02:23 2 okay, well, if he's still taking -- taking letter
16:02:27 3 grades off of my paper, then I likely don't have
16:02:31 4 that right.

16:02:32 5 And it was never told to me by Linda and
16:02:37 6 even when I was doing my CEEP poster, I didn't want
16:02:41 7 to do it. I didn't want to go into the research
16:02:43 8 lab, I didn't feel like I -- I could continue, but
16:02:46 9 I didn't realize that I could -- I could ask for an
16:02:48 10 accomodation of asking to -- to see if I could not
16:02:52 11 have to do CEEP. It just felt like it was this
16:02:55 12 thing that absolutely had to happen.

16:03:04 13 **BY MS. NAASSANA:**

16:03:04 14 **Q.** When was your paper for Dr. Klump due?

16:03:06 15 **A.** I can't remember. It -- it was like
16:03:09 16 a -- a mid semester paper so probably like sometime
16:03:13 17 in February of -- of 2019 because I think it was
16:03:18 18 like shortly after the Title IX case just opened or
16:03:29 19 investigation or whatever you want to call it.
16:03:30 20 Just the case going on at the school specifically.

16:03:35 21 **Q.** Did you share that -- that meeting that
16:03:43 22 you had with Dr. Klump with another professor?

16:03:45 23 **A.** Not that I recall.

16:13:41 1 of 2022 if she would -- if you could list her as a
16:13:48 2 reference for your character and fitness
16:13:51 3 application; is that correct?

16:13:52 4 **A.** Yeah.

16:13:53 5 **Q.** Okay. And she agreed to be a reference
16:14:00 6 for you, correct?

16:14:01 7 **A.** Yes.

16:14:03 8 **Q.** Okay. Okay. Okay. Natassia, I want
16:14:18 9 to talk a little bit about the Canisius counseling
16:14:21 10 center.

16:14:27 11 Did there come a time when you received
16:14:28 12 counseling support at the Canisius counseling
16:14:30 13 center?

16:14:31 14 **A.** Briefly, yes.

16:14:32 15 **Q.** What does briefly mean?

16:14:35 16 **A.** I think I went to a total of like four
16:14:38 17 or five sessions.

16:14:39 18 **Q.** How did you learn about the
16:14:48 19 availability of those on campus counseling
16:14:51 20 services?

16:14:52 21 **A.** It was from that like weird kind of
16:14:56 22 elective that I had to do freshman year. It wasn't
16:14:59 23 like all of these weird elective classes where, you

17:31:08 1 least.

17:31:17 2 **BY MS. NAASSANA:**

17:31:18 3 **Q.** Okay. And in terms of your personal
17:31:19 4 viewpoint, Natassia, do you feel like your Canisius
17:31:22 5 degree is of any value?

17:31:27 6 **MS. NANAU:** Objection to form. You can
17:31:27 7 answer, if you can.

17:31:30 8 **THE WITNESS:** I think in regards to any of
17:31:36 9 the classes that I took with Dr. Noonan and any --
17:31:42 10 any knowledge that I had -- that I could have
17:31:46 11 potentially had to do research, that education was
17:31:50 12 very poor.

17:31:52 13 Dr. Noonan really focused more on -- on how
17:31:58 14 he could include ways to sexually harass students
17:32:03 15 and make them uncomfortable and -- you know, for
17:32:06 16 his own titillization [phonetic] I guess.

17:32:11 17 In regards to other -- other classes, even
17:32:15 18 though a majority of my ABEC classes at the time
17:32:18 19 were with Dr. Noonan, I did -- I did learn some
17:32:22 20 things. I particularly enjoyed taking classes with
17:32:25 21 Dr. Suchak because I believe that she -- she really
17:32:29 22 did try to have us think critically at times where
17:32:34 23 we were writing papers.